STATUS OF THE CLAIMS

Claims 1-67 were originally filed in this patent application. In the pending office action, claims 1-4, 12 and 13 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,757,914 to McManis. Claims 5-8, 11, 14-17 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over McManis in view of Official Notice. Claims 21-67 were allowed. Claims 9-10 and 18-19 were objected to as being dependent upon a rejected base claim, but would be allowable if properly rewritten in independent form. In this amendment, claims 4, 8-9, 18, 42-43, 55-56 and 66-67 have been cancelled, and claims 1, 5-6, 10, 12, 19, 41, 54 and 65 have been amended. Claims 1-3, 5-7, 10-17, 19-41, 44-54 and 57-65 are currently pending.

REMARKS

Rejection of claims 1-4, 12 and 13 under 35 U.S.C. §102(b)

The examiner rejected claims 1-4, 12 and 13 under 35 U.S.C. §102(b) as being anticipated by McManis. Claim 4 has been cancelled herein and therefore need not be addressed. Claims 1 and 12 have been amended herein to incorporate the subject matter in claims 9 and 18, respectively, which the examiner indicated was allowable. As a result, claims 1 and 12 as amended are allowable. Claims 2-3 and 13 depend on independent claims that are allowable as stated above, and are therefore allowable as well.

Rejection of claims 5-8, 11, 14-17 and 20 under 35 U.S.C. §103(a)

The examiner rejected claims 5-8, 11, 14-17 and 20 under 35 U.S.C. §103(a) as being unpatentable over McManis in view of Official Notice. Claim 8 has been cancelled herein, and therefore need not be addressed. Claims 5-7 and 11 depend on claim 1, which is allowable for the reasons given above. Claims 14-17 and 20 depend on claim 12, which is allowable for the reasons given above. As a result, claims 5-7, 11, 14-17 and 20 are allowable as depending on allowable independent claims.

Allowance of claims 21-67

The examiner allowed claims 21-67. Applicant thanks the examiner for the allowance of these claims.

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Objection to claims 9-10 and 18-19

The examiner objected to claims 9-10 and 18-19 as being dependent upon rejected base claims, but stated these claims would be allowable if properly rewritten in independent form. Claim 1 as amended incorporates the limitations of claim 9, which has been cancelled herein. Claim 12 as amended incorporates the limitations of claim 18, which has been cancelled herein. As a result, claims 1 and 12 include the subject matter from claims 9 and 18, respectively, in proper independent form, and are therefore allowable. Claims 10 and 19 depend on claims 9 and 18, respectively, which are allowable for the reasons given above. As a result, claims 10 and 19 are allowable as depending on allowable independent claims.

Amendments to claims 41-43, 54-56 and 65-67

Claims 42-43, 55-56 and 66-67 have been cancelled herein, and claims 41, 54 and 65 have been amended herein to recite recordable media, which was in former claims 42, 55 and 66. These amendments are made to address a potential issue relating to patentable subject matter under 35 U.S.C. §101. The claims as amended are limited to recordable media, which is tangible. Recordable media that bears patentable software comprises an article of manufacture (or product) that defines statutory subject matter, according to In re Beauregard, 53 F3d 1583, 35 USPQ2d 1383 (Fed. Cir. 1995). As a result, claims 41, 54 and 65 as amended recite statutory subject matter under 35 U.S.C. §101.

Conclusion

In summary, none of the cited prior art, either alone or in combination, teach, support, or suggest the unique combination of features in applicant's claims presently on file. Therefore, applicant respectfully asserts that all of applicant's claims are allowable. Such allowance at an early date is respectfully requested. The Examiner is invited to telephone the undersigned if this would in any way advance the prosecution of this case.

Respectfully submitted,

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